REMARKS-GENERAL

1. The Applicant expresses his appreciation to the Examiner for the diligence shown in the examination of this application.

2. Reconsideration of the application as amended is respectfully requested.

3. Independent claim 1 has been amended in order to define the invention more particularly over the cited references, and to place the claim in condition for allowance. Dependent claim 9 has been amended to overcome a 35 USC 112 rejection for indefiniteness. Claims 2, 7, and 8 have been cancelled. New independent claim 27 and dependent claim 28 has been added. These claims are all submitted to be patentable over the cited references because they (1) recite novel structure and thus distinguish physically over every reference (Section 102) and (2) the physical distinctions effect new and unexpected results, thereby indicating that the physical distinctions are unobvious under Section 103. Current claims of record are claims 1, 3-6, 9, 27 and 28. Upon allowance of a generic claim, the applicant wishes to rejoin applicable non-elected claims.

4. The Applicant submits that no new matter was introduced as a result of this amendment.

5. Claim 9 was amended to incorporate full-word descriptions of materials claimed in the invention in order to overcome the 35 U.S.C. Section 112 rejection.

6. Claims 1-9 were rejected under 35 U.S.C. section 102(b) as being anticipated by Wells et al. (UK Patent No. 2241195). Wells et al. discloses the manufacture of articles from flat sheets of heat-treatable plastics. The method involves cutting developed shapes from flat material and selectively welding along lines of the flat sheets to form the shape.

The Claims Recite Novel Physical Features And Structure And Hence Make The Claims Patentable Under Section 102(b).

7. The Applicant submits that independent claim 1, as amended, and new independent claim 27 recite novel physical features and structure and hence make the claims patentable under section 102(b).

8. Specifically in claim 1, the disclosure of printed graphics on a contoured shaped portion of the sleeve is novel over the teachings of the cited and relied upon Wells et al. reference. The Applicant disagrees that Wells et al. teaches use of printed graphics on *any* part of the sleeve, much less the contoured portion as defined in claim 1 of the present invention.

9. In regards to new independent claim 27, Wells et al. do not disclose shaping of the sleeve by welding the *sleeve* by use of a die seal. Rather, Wells et al. specifically disclose making the sleeves by cutting a flat sheet to a desired shap first, and then welding the flat sheet into a cover.

10. The Applicant disagrees with the findings of the Office Action that Wells et al. discloses any of the specific shrink materials of dependent claim 9.

The Novel Physical Features Of The Claims Provide New and Unexpected Results And Hence Should be Considered Unobvious, Making the Claims Patentable Under Section 103.

11. The Applicant submits that independent claim 1, as amended, and new independent claim 27 provides new and unexpected results and hence should be considered unobvious, making the claims patentable under section 103.

12. Specifically in regards to independent claim 1, printing graphics on the contoured portion provides a sleeve which, until now, has failed to meet the market demand for high quality graphics necessary for broad market appeal. For example, attempts to print fine graphics on the neck of a conventional tubular sleeve on an asymmetric bottle resulted in severe distortion and poor market acceptance. Printing graphics on contoured sleeves answers a long-felt need in modern marketing by allowing, for the first time, high-quality graphics such as very fine text, shapes or other markings on severely necked-down portions such as the necks of pour-spout bottles.

13. The cited and relied-upon Wells et al. reference neither teaches, nor suggests, printing of graphics on a contoured sleeve for asymmetric articles. In fact, Wells et al. teaches *away* from such a use by describing the process to "produce shapes in thin sheets of pre-oriented heat shrinkable plastic material that could not be manufactured by other techniques such as injection moulding." (Paragraph 1 and claim 5 of the disclosure). Wells et al. only teaches a method "particularly suitable for making parts for the covering of irregular shaped articles that need to be screened from dust or moisture or electrically-insulated with a heat-shrink product." (Paragraph 2 of the disclosure)

14. In regards to independent claim 27, the die-sealing of a *sleeve* (instead of a flat sheet as in Wells et al.) to produce a contoured sleeve for asymmetrical articles vastly simplifies making the sleeves, reducing time and cost for manufacturing the contoured sleeves. A contoured sleeve made by such a process also allows use of seamless tube, an option not possible by the teaching of Wells et al.

15. The coverings of Wells et al. requires cutting of two flat sheets and welding seams the full length of the sides. Such a process requires considerable cutting, positioning and welding operations, and is not practical for high-volume, low cost production.

The Dependent Claims Are A-fortiori Patentable

16. The dependent claims add additional novel features and thus are submitted to be, a-fortiori, patentable. For example, the use of polyvinyl chloride, polyethylene, polypropylene, polyesters and polystyrene for the sleeve material in a contoured sleeve for asymmetrical bottles adds further novelty to the invention.

Allowance Requested

17. For the above reasons, the Applicant submits that the Shrink Sleeve for Contoured Articles disclosed and claimed in the present application is not taught by any of the references of record, taken either alone, or in combination. Therefore, allowance of the present application is in order and respectfully requested.

Request For Constructive Assistance

The undersigned has made a diligent effort to amend the claims of this application so that they define novel structure and render the claimed structure unobvious because it produces new and unexpected results. If for any reason the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to MEP 707.07(j) and MEP 706.03 (d) in order that this application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Very Respectfully,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS: Fee Amendments, Commissioner of Patents, PO Box 1450, Arlington, VA 22313-1450 on: 11/12/2003

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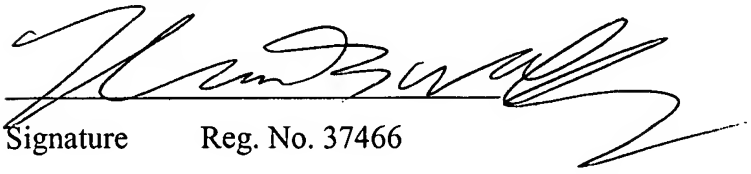

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